IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR
O R D E R

S.B. Civil Second Appeal No.233 Of 2000

Madan Lal Vs. Kailash & Others

Date Of Order ::: 06.11.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. A.K. Pareek, Counsel for plaintiff-appellant.

By the Court :

Heard learned counsel for the plaintiff-appellant.

The plaintiff-appellant filed a suit for declaration and permanent injunction in the Lower Court in respect of the disputed way, which was dismissed by the Lower Court and the finding of the Lower Court has been affirmed by the First Appellate Court also.

I have considered the submissions of learned counsel for the plaintiff-appellant in the light of the findings of both the Courts below and I find that the controversial issues involved in the present case are

relating to the question of facts and there is a concurrent finding of fact recorded by both the Courts below in this regard, which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at the admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

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